

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

68-0157 (9-06) - 3091078 - EI

**DARNELL TRIPLETT**  
Claimant

**APPEAL NO. 15A-UI-09302-TN-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**L A LEASING INC**  
Employer

**OC: 11/23/14**  
**Claimant: Respondent (5R)**

Section 96.6 – Notification of Interested Parties

**STATEMENT OF THE CASE:**

The employer filed a timely appeal from representative's decision dated August 13, 2015, reference 08, which assessed no disqualification against the claimant finding that the employer had questioned the claimant's availability for work as of April 21, 2015 finding that the claimant had not claimed unemployment insurance benefits since January 17, 2015 and was not currently claiming unemployment insurance benefits. After due notice was provided, a telephone hearing was held on September 8, 2015. Although duly notified, the claimant did not participate. The employer participated by Ms. Colleen McGuinty, UI Benefit Administrator. Employer's Exhibits One through Ten were admitted into the record.

**ISSUE:**

At issue is whether interested parties were properly notified and whether the claimant's separation from work that had taken place at an earlier date had been properly adjudicated.

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: Darnell Triplett began employment with L A Leasing/Sedona Group on February 14, 2014 and was assigned to work at the Rock Tenn Company, a client of the temporary employment company. The claimant's last day of work at the Rock Tenn job assignment was May 2, 2014. The employer made a timely protest of the claim, however, no fact finding was held and no decision was issued on Mr. Triplett's May 2, 2014 job separation from L A Leasing/Sedona Group.

Subsequently, the employer became aware that the company had been charged for unemployment insurance benefits on Mr. Triplett's job separation in May 2014. The employer found that their account had been charged for benefits paid to Mr. Triplett in the amount of \$435.70 for the fourth quarter 2014 and the amount of \$174.28 for the first quarter 2015. The employer attempted to dispute the charging, however, it appears, the Agency mistakenly believed that the issue being protested by the employer was related to a subsequent job separation that the claimant had from L A Leasing in May of 2015. The employer further attempted to appeal the separation and the employer's chargeability for the May, 2, 2014 job

separation. In response, the Agency issued a decision dated August 15, 2015, reference 08, that referred to the claimant's availability for work as of April 21, 2015.

**REASONING AND CONCLUSIONS OF LAW:**

The administrative law judge has reviewed the records and files herein and concludes that the issue of the claimant's job separation and whether the employer was properly charged for benefits paid to the claimant based upon Darnell Triplett's job separation from L A Leasing on May 2, 2014 has not been adjudicated and is remanded to the Claims Division. The administrative law judge finds that the claimant did have a job separation on May 2, 2014 and the employer has made past attempts to have the job separation investigated and adjudicated.

The matter is therefore remanded to the Claims Division for investigation, fact-finding interview and the issuance of an appeal determination based on the claimant's job separation that took place on May 2, 2014 and whether the employer is liable for any benefits paid to Mr. Triplett during the fourth quarter 2014 and the first quarter 2015.

**DECISION:**

The adjudicator's determination dated August 13, 2015, reference 08, is REMANDED without prejudice to either party. The issue of whether the claimant's job separation on May 2, 2014 was disqualifying, and charging is remanded to the Claims Division for investigation, fact finding and the issuance of an appealable determination.

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Terence P. Nice  
Administrative Law Judge

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Decision Dated and Mailed

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